

Report Date: February 12, 2008

PROB 12B  
(7/93)**United States District Court**

for the

**Eastern District of Washington****Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**FEB 19 2008**JAMES R. LARSEN, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

Name of Offender: Francisco Martinez

Case Number: 2:07CR02040-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 10/17/2007

Type of Supervision: Supervised Release

Original Offense: Possession of an Unregistered  
Firearm, 26 U.S.C. § 5861(d)

Date Supervision Commenced: 2/5/2008

Original Sentence: Prison - 366 days; TSR - 36  
months

Date Supervision Expires: 2/4/2011

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 19 You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.
- 20 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**CAUSE**

On February 5, 2008, Francisco Martinez was released from custody and commenced his term of supervised release in the Eastern District of Washington. On February 6, 2008, he reported to the U.S. Probation Office for an intake interview. During the intake process, the defendant related he had been using methamphetamine daily up to the date of his arrest on the instant offense. Although the defendant indicates he can refrain from any additional drug use on his own, this officer believes the above conditions are needed in order to ensure the defendant complies with his standard condition of no illegal drug use. In addition, 9<sup>th</sup> Circuit case law requires the Court to specify a specific number of urine tests to be set. Enclosed is a waiver signed by the defendant agreeing to the above modification of his conditions of supervised release.

Prob 12B

**Re: Martinez, Francisco**

**February 12, 2008**

**Page 2**

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 2/12/08



Jose Vargas  
U.S. Probation Officer

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**THE COURT ORDERS**

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

2/14/08

Date